

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION

CHRISTOPHER TAIT, )

)

)

Case No. 7:05-CV-83 (HL)

)

Plaintiff )

)

v. )

**ORDER**

)

JO ANNE B. BARNHART, )

Commissioner of )

Social Security, )

)

Defendant )

The defendant, Jo Anne B. Barnhart, Commissioner of Social Security, by her undersigned attorneys, G.F. Peterman, III, Acting United States Attorney for the Middle District of Georgia, and H. Randolph Aderhold, Assistant United States Attorney for said district, has moved this Court, pursuant to 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the cause to him for further administrative proceedings.

On remand, this case will be remanded to an administrative law judge, who will be directed to properly consider the medical, vocational, and educational evidence concerning Plaintiff's mental impairments. The administrative law judge will also be directed to make proper findings, with appropriate rationale, concerning Plaintiff's residual functional capacity and credibility. Plaintiff will be afforded the opportunity for a supplemental hearing with testimony from a vocational expert as to what work he can perform, considering his age, education, past work experience, and residual functional capacity. The file from Plaintiff's subsequent claim will be obtained and considered along with the remainder of the evidence pursuant to the Commissioner's regulations and policies.

The administrative law judge will take any further action as needed to complete the administrative record and issue a new decision.

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and, in light of the Commissioner's request to remand this action for further proceedings, this Court hereby

**REVERSES** the Commissioner's decision under sentence four of 42 U.S.C. § 405(g).<sup>1</sup> See Shalala v. Schaefer, 113 S.Ct. 2625 (1993). Further, it is

**ORDERED** that the cause be remanded to the Commissioner for further administrative action as set out above.

This 29<sup>th</sup> day of March 2006

/s/ Richard L. Hodge  
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RICHARD L. HODGE  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> The clerk of the Court will enter a separate judgment pursuant to the Federal Rules of Civil Procedure, Rule 58.